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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Bettie Franklin,

Plaintiff,

v.

Social Security; Mr. Martinez,

Defendants.

Case No. 2:21-cv-01704-RFB-EJY

**Defendants' Motion for Extension of
Time to Respond to Plaintiff's
Complaint**

(First Request)

Defendants the U.S. Social Security Administration and "Mr. Martinez," by and through undersigned counsel, hereby move for an extension of time to respond to Plaintiff's Complaint. Defendant requests that the time be extended to October 18, 2021. The basis for this motion is as follows:

1. This action was originally brought in the Justice Court, North Las Vegas Township, Clark County Nevada. The named federal Defendants are the Social Security Administration and a "Mr. Martinez."

2. On September 15, 2021, Defendants filed a Notice of Removal, removing the action from state to federal court.

3. Rule 81(c) of the Federal Rules of Civil Procedure provides the time in which a Defendant must answer an initial pleading in a removed action. The time provided is the later of 21 days after receipt or service of the initial pleading or seven days after the removal.

1 However, a federal officer or agency would ordinarily be permitted a response time of 60
2 days to respond pursuant to Rule 12(a)(2) of the Federal Rules of Civil Procedure.

3 4. Here, the agency was served with the Complaint on August 17, 2021. It is
4 proposed, and requested, that the time within which to file a response to that complaint be
5 extended to October 18, 2021—a date that is 60 days following the date of service on the
6 agency.

7 5. The usual sixty-day response time is needed to meaningfully evaluate the
8 allegations of the Complaint and prepare a response to that pleading on behalf of Defendants.

9 Respectfully submitted this 15th day of September 2021.

10 CHRISTOPHER CHIOU
11 Acting United States Attorney

12 /s/ Skyler H. Pearson
13 SKYLER H. PEARSON
14 Assistant United States Attorney

15 **IT IS SO ORDERED, provided; however,**
16 **that based on the brevity of Plaintiff's**
17 **Complaint and the Rules pertaining to**
18 **stating a claim against the Social**
19 **Security Administration no further**
20 **extensions of time to respond to**
21 **Plaintiff's Complaint will be granted.**

22 
23 UNITED STATES MAGISTRATE JUDGE

24 **Dated: September 16, 2021.**